## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number	09/849448	Docket Number	DT.0104			
Filed	05/04/01	Group Art Unit	3623			
Examiner	SUSANNA M. DIAZ	Customer No.	23669			
Application Title	INTERFACE FOR MERCHANDISE PROMOTION OPTIMIZATION					
First Named Inventor	r PHIL DELURGIO					

## **FACSIMILE COVER SHEET**

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To: Commissioner for Patents - Central Fax Number

Fax Number: 571-273-8300

From: HUFFMAN PATENT GROUP, LLC

Fax Number: (661) 460-1986

Pages: 94 (including this cover sheet)

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Please accept the attached correspondence for the above-identified matter. I hereby certify under 37 CFR 1.8 that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date of signature shown below.

	Respectfully submitted, HUFFMAN PATENT GROUP, LLC						
Bv:	/Richard K. Huffman/						
	RICHARD K. HUFFMAN, P.E. Registration No. 41,082 Tel: (719) 575-9998						
	02/18/2006						
Date:							

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First Named Inventor	PHIL DELURGIO					

## INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

VIA FACSIMILE: 571-273-8300

Mail Stop Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Attached hereto is Form PTO-1449 listing documents believed relevant to the subject application. It is respectfully requested that the examiner review the information disclosed herein in detail, independently evaluate each item carefully in the consideration of the pending claims, and return an initialed copy of each form to the undersigned practitioner.

This disclosure statement should not be construed as a representation that a search has been made, that no other material information as defined in 37 CFR 1.56(a) exists, or as an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR 1.56(b) or is available as a reference under 35 U.S.C. §102 et seq. Applicant reserves the right to swear behind or otherwise disprove the allege "prior" nature of any art cited should the facts support and the situation warrant such an action

It is believed that this disclosure complies with the requirements of 37 CFR 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedures §609. If for some reason the examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

Some of the enclosed documents may have markings thereon. No significance is intended to be attached to the markings.

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	ectfully submitted, MAN PATENT GROUP, LLC	
By:	/Richard K. Huffman/	
	<b>RICHARD K. HUFFMAN, P.E.</b> Registration No. 41,082 Tel: (719) 575-9998	
	02/18/2006	
Date:		

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Substitute for form 1449A/PTO				Application Number	09/849448	
INFORM	ATION DISC	CLOS	JRE	Filing Date	05/04/01	
STATEMENT BY APPLICANT				First Named Inventor	Phil Delurgio	
			Group Art Unit	3623		
(use as many sheets as necessary		Examiner Name	Susanna M. Diaz			
Sheet	1	of	2	Attorney Docket Number	DT.0104	

	_		U.S. PATENT	DOCUMENTS	
Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
Initials*	ials* No. <sup>1</sup> Number-Kind Code <sup>2(# known)</sup> MM-DD-YYYY	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear	
		6965867	11-15-2005	Jameson	
		6910017	06-21-2005	Woo et al.	
		6546387	04-08-2003	Triggs	
		20020198794	12-26-2002	Williams et al.	
		20020107819	08-08-2002	Ouimet	
		6405175	06-11-2002	Ng	
		20020023001	02-21-2002	McFarlin et al.	
		5615109	03-25-1997	Eder	
		5521813	05-28-1996	Fox et al.	
		5212791	05-18-1993	Damian et al.	
		4744026	05-10-1988	Vanderbei	

	-	FOREIG	N PATENT DO	CUMENTS		
Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines,	т6
Initials*	No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (# known)	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	
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Substitute for form 4.440 A.F.	370			Complete if Known	
Substitute for form 1449A/PTO				Application Number	09/849448
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STATEM	MENT BY APP	PLIC/	ANT	First Named Inventor	Phil Delurgio
		Group Art Unit	3623		
(use as many sheets as necessary		Examiner Name	Susanna M. Diaz		
Sheet	2	of	2	Attorney Docket Number	DT.0104

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AA	Brad Barth. "Shopko Tests Automated Markdowns." WWD 10/04/00, pages 1-3.	
	AB	Martie Cook. "Optimizing Space and Sales with Markdown Software." Office.com. 05/31/2000, page 1.	
	AC	Rachel Melcer. "Local Tech Firm Creates Retail Markdown Tool." Business Courier online. 03/24/00. pages 1-4.	
	AD	Technology Strategy Incorporated. www.grossprofit.com 03/02/00. pages 1-20.	
	AE	Kadiyali et al. "Manufacturer-retailer Channel Interactions and Implications for Channel Power. An Investigation of Pricing in Local Market." Marketing Science. Spring 2000. V.19, Issue 2.	
	AF	Gelman et al. "Bayesian Data Analysis." pgs. 439 - 455. Chapman & Hall/CRC, First Edition 1995. Reprinted 2000.	
	AG	Hillier et al. "Introduction to Operations Research." McGraw-Hill, Inc. 1995, Sixth Edition. Pages 1-14.	┡
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<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450